

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Hollie Washington,

Plaintiff,

v.

Cynthia Pavite,

Defendant.

Case No. 2:23-cv-2415

Judge Michael H. Watson

Magistrate Judge Vascura

OPINION AND ORDER

On August 7, 2023, Magistrate Judge Vascura issued a Report and Recommendation (“R&R”) recommending that the Court dismiss Hollie Washington’s (“Plaintiff”) Amended Complaint for failure to state a claim. ECF No. 6. Plaintiff objects to the R&R. ECF No. 8. For the following reasons, Plaintiff’s objections are **OVERRULED**, and the R&R is **ADOPTED**.

I. BACKGROUND

Plaintiff’s allegations are very difficult to discern. Plaintiff is being evicted from her residence. *See generally*, Notice, ECF No. 4. It seems Plaintiff alleges that the eviction is improper, possibly because some sort of convictions have been improperly ascribed to her or to her residence. *Id.* Plaintiff also seems to allege the Columbus Metropolitan Housing Authority has attempted to keep her out of her residence. *See generally*, Notice, ECF No. 7. Plaintiff alleges that Cynthia, presumably Defendant Cynthia Pavite (“Defendant”), works for CHN

Metropolitan and that Defendant “had a temp work job this belong to her too.”

Am. Compl. 2–3, ECF No. 3-1.

II. R&R

Magistrate Judge Vascura recommends dismissing Plaintiff’s Amended Complaint¹ for failure to state a claim upon which relief may be granted. ECF No. 6. Magistrate Judge Vascura concludes that Plaintiff “provides insufficient factual content or context from which the Court could reasonably infer that Defendant violated Plaintiff’s rights.” *Id.* at 4. Thus, “Plaintiff has failed to satisfy the basic federal pleading requirements set forth in Rule 8(a).” *Id.*

III. STANDARD OF REVIEW

Pursuant to Federal Rule of Civil Procedure 72(b), the Court reviews de novo those portions of the R&R that were properly objected to.

IV. ANALYSIS

Plaintiff’s objections are also very difficult to discern. As best the Court can tell, the objections simply rehash Plaintiff’s grievances from her Amended Complaint. Plaintiff states that Defendant threatened her on several occasions, that Defendant tried to talk to her, and that a CHN Metropolitan maintenance man told her they would kick her out. See ECF No. 8.

¹ As an aside, Plaintiff has filed three Complaints in this case. The most recent was filed the same day Magistrate Judge Vascura issued her R&R. The Amended Complaint, ECF No. 3-1, contains the most discernable factual allegations. Additionally, Plaintiff did not seek leave to file a second amended complaint. Therefore, the Court refers to ECF No. 3-1 as the operative complaint.


Plaintiff still fails to allege any plausible facts that would entitle her to relief. The Court cannot discern any manner in which Defendant may have violated Plaintiff's federal rights. Thus, Plaintiff has failed to "state a claim to relief that is plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

V. CONCLUSION

Accordingly, Plaintiff's objections are **OVERRULED**, and the R&R is **ADOPTED**. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim.

The Clerk is directed to close the case.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT